

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**David F Delmastro**  
Debtor(s)

Bankruptcy Case No.: 21-21420-GLT  
Issued Per Aug. 23, 2021 Proceeding  
Chapter: 13  
Docket No.: 31 - 20  
Concil. Conf.: December 16, 2021 at 10:30 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated July 22, 2021 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$2,350 as of September 2021. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Dec. 16, 2021 at 10:30 AM, in remotely by the Trustee via Zoom, how to participate: goto www.ch13pitt.com, meetings@chapter13trusteewdpa.com.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☐ H. Additional Terms:

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.P.A.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge  
United States Bankruptcy Court

Dated: August 24, 2021

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:  
David F Delmastro  
Debtor

Case No. 21-21420-GLT  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-2  
Date Rcvd: Aug 24, 2021

User: jhel  
Form ID: 149

Page 1 of 3  
Total Noticed: 45

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

### Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 26, 2021:

Recip ID	Recipient Name and Address
db	+ David F Delmastro, 126 Lynnwood Avenue, Belle Vernon, PA 15012-2202
cr	+ Peoples Natural Gas Company LLC, GRB Law, Frick Building, 437 Grant Street, 14th Floor, Pittsburgh, PA 15219-6101
15386094	+ Amex, P.o. Box 981537, El Paso, TX 79998-1537
15386095	++ BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238 address filed with court:, Bank Of America, Po Box 982238, El Paso, TX 79998
15386096	+ Barclays Bank Delaware, P.o. Box 8803, Wilmington, DE 19899-8803
15388304	++ FORD MOTOR CREDIT COMPANY, P O BOX 62180, COLORADO SPRINGS CO 80962-2180 address filed with court:, Ford Motor Credit Company LLC, PO Box 62180, Colorado Springs, CO 80962-2180
15386107	+ Fifth Third Bank Na, 5050 Kingsley Dr, Cincinnati, OH 45227-1115
15390642	+ Fifth Third Bank, N.A., PO Box 9013, Addison, Texas 75001-9013
15386108	+ Ford Motor Credit Comp, Pob 542000, Omaha, NE 68154-8000
15404872	+ HSBC Bank USA, N.A., 2929 Walden Ave C9, Attn: Business Services, Depew, NY 14043-2690
15386109	+ Hsbc Bank, Po Box 2013, Buffalo, NY 14240-2013
15397013	+ KML Law Group, 701 Market St Ste 5000, Philadelphia, PA 19106-1541
15386111	+ M & T Bank Mortgage, Po Box 900, Millsboro, DE 19966-0900
15386112	+ Mem Credit Union, P O Box 18269, Pittsburgh, PA 15236-0269
15386113	+ Mem Federal Credit Uni, Po Box 18269, Pittsburgh, PA 15236-0269
15397017	+ Mem Federal Credit Union, Po Box 18269, Pittsburgh, PA 15236-0269
15386118	Wells Fargo, Credit Bureau Dispute Resoluti, Des Moines, IA 50306
15388445	Wells Fargo Bank, N.A., Wells Fargo Card Services, PO Box 10438, MAC F8235-02F, Des Moines, IA 50306-0438

TOTAL: 18

### Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: rmscedi@recoverycorp.com	Aug 24 2021 23:29:01	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15386097	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Aug 24 2021 23:29:19	Best Buy/cbna, Po Box 6497, Sioux Falls, SD 57117-6497
15386098	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Aug 24 2021 23:29:26	Capital One, Po Box 31293, Salt Lake City, UT 84131-0293
15394289	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Aug 24 2021 23:29:15	Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
15386100	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Aug 24 2021 23:28:55	Capital One, N.a., Po Box 31293, Salt Lake City, UT 84131-0293
15386101	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Aug 24 2021 23:39:41	Cbna, Po Box 6217, Sioux Falls, SD 57117-6217
15386102	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Aug 24 2021 23:39:34	Cbna, Po Box 6497, Sioux Falls, SD 57117-6497
15386103	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Aug 24 2021 23:39:41	Citi, Po Box 6190, Sioux Falls, SD 57117-6190
15404214	Email/PDF: Citi.BNC.Correspondence@citi.com	Aug 24 2021 23:29:29	Citibank, N.A., 5800 S Corporate Pl, Sioux Falls, SD 57108-5027

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User: jhel

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Total Noticed: 45

15386104	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Aug 24 2021 23:39:38	Citicards Cbna, Po Box 6217, Sioux Falls, SD 57117-6217
15387744	Email/Text: mrdiscen@discover.com	Aug 24 2021 23:25:00	Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
15386105	+ Email/Text: mrdiscen@discover.com	Aug 24 2021 23:25:00	Discover Fin Svcs Llc, Pob 15316, Wilmington, DE 19850-5316
15386106	Email/Text: RPSBankruptcyBNCNotification@usbank.com	Aug 24 2021 23:25:00	Elan Financial Service, Cb Disputes, Saint Louis, MO 63166
15386110	+ Email/Text: bankruptcy@huntington.com	Aug 24 2021 23:25:00	Huntington National Ba, Po Box 1558, Columbus, OH 43216-1558
15399860	Email/PDF: resurgentbknofications@resurgent.com	Aug 24 2021 23:29:07	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15404957	Email/Text: Bankruptcy.Notices@pnc.com	Aug 24 2021 23:25:00	PNC Bank, National Association, Bankruptcy Department, PO Box 94982, Cleveland, OH 44101
15386114	Email/Text: Bankruptcy.Notices@pnc.com	Aug 24 2021 23:25:00	Pnc Bank, N.a., Po Box 3180, Pittsburgh, PA 15230
15401258	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Aug 24 2021 23:29:01	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15386115	+ Email/PDF: gecsed@recoverycorp.com	Aug 24 2021 23:57:31	Syncb/bp Dc, C/o Po Box 965024, Orlando, FL 32896-0001
15386116	+ Email/PDF: gecsed@recoverycorp.com	Aug 24 2021 23:29:26	Syncb/sams Club Dc, Po Box 965005, Orlando, FL 32896-5005
15403792	+ Email/PDF: gecsed@recoverycorp.com	Aug 24 2021 23:28:59	Synchrony Bank, c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021
15386487	+ Email/PDF: gecsed@recoverycorp.com	Aug 24 2021 23:29:26	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15387130	+ Email/Text: bankruptcy@huntington.com	Aug 24 2021 23:25:00	The Huntington National Bank, P O Box 89424, Cleveland OH 44101-6424
15402324	Email/Text: RPSBankruptcyBNCNotification@usbank.com	Aug 24 2021 23:25:00	U.S. Bank NA dba Elan Financial Services, Bankruptcy Department, PO Box 108, Saint Louis MO 63166-0108
15400715	Email/Text: RPSBankruptcyBNCNotification@usbank.com	Aug 24 2021 23:25:00	U.S. Bank National Association, Bankruptcy Department, PO Box 108, Saint Louis, MO 63166-0108
15386117	Email/Text: RPSBankruptcyBNCNotification@usbank.com	Aug 24 2021 23:25:00	Us Bank, Cb Disputes, Saint Louis, MO 63166
15402198	Email/PDF: EBN_AIS@AMERICANINFOSOURCE.COM	Aug 24 2021 23:39:42	Verizon, by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457

TOTAL: 27

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		LAKEVIEW LOAN SERVICING LLC
15386099		Capital One Bank Usa N
15397001		Capital One Bank Usa N
15396996	*+	Amex, P.o. Box 981537, El Paso, TX 79998-1537
15396997	*P++	BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238, address filed with court., Bank Of America, Po Box 982238, El Paso, TX 79998
15396998	*+	Barclays Bank Delaware, P.o. Box 8803, Wilmington, DE 19899-8803
15396999	*+	Best Buy/cbna, Po Box 6497, Sioux Falls, SD 57117-6497

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15397000	*+	Capital One, Po Box 31293, Salt Lake City, UT 84131-0293
15397002	*+	Capital One, N.a., Po Box 31293, Salt Lake City, UT 84131-0293
15397003	*+	Cbna, Po Box 6217, Sioux Falls, SD 57117-6217
15397004	*+	Cbna, Po Box 6497, Sioux Falls, SD 57117-6497
15397005	*+	Citi, Po Box 6190, Sioux Falls, SD 57117-6190
15397006	*+	Citicards Cbna, Po Box 6217, Sioux Falls, SD 57117-6217
15397007	*+	Discover Fin Svcs Llc, Pob 15316, Wilmington, DE 19850-5316
15397008	*	Elan Financial Service, Cb Disputes, Saint Louis, MO 63166
15397009	*+	Fifth Third Bank Na, 5050 Kingsley Dr, Cincinnati, OH 45227-1115
15397010	*+	Ford Motor Credit Comp, Pob 542000, Omaha, NE 68154-8000
15397011	*+	Hsbc Bank, Po Box 2013, Buffalo, NY 14240-2013
15397012	*+	Huntington National Ba, Po Box 1558, Columbus, OH 43216-1558
15397014	*+	M & T Bank Mortgage, Po Box 900, Millsboro, DE 19966-0900
15397015	*+	Mem Credit Union, P O Box 18269, Pittsburgh, PA 15236-0269
15397016	*+	Mem Federal Credit Uni, Po Box 18269, Pittsburgh, PA 15236-0269
15397018	*P++	PNC BANK RETAIL LENDING, P O BOX 94982, CLEVELAND OH 44101-4982, address filed with court., Pnc Bank, N.a., Po Box 3180, Pittsburgh, PA 15230
15397019	*+	Syncb/bp Dc, C/o Po Box 965024, Orlando, FL 32896-0001
15397020	*+	Syncb/sams Club Dc, Po Box 965005, Orlando, FL 32896-5005
15397021	*	Us Bank, Cb Disputes, Saint Louis, MO 63166
15397022	*	Wells Fargo, Credit Bureau Dispute Resoluti, Des Moines, IA 50306

TOTAL: 3 Undeliverable, 24 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Aug 26, 2021

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

**The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 24, 2021 at the address(es) listed below:**

Name	Email Address
Maria Miksich	on behalf of Creditor LAKEVIEW LOAN SERVICING LLC mmiksich@kmlawgroup.com
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov
Paul W. McElrath, Jr.	on behalf of Debtor David F Delmastro ecf@mcelrathlaw.com donotemail.ecfbackuponly@gmail.com
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com
S. James Wallace	on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com

TOTAL: 5